

The State Licensing Board for Residential and General Contractors met on **August 24, 2005** at the Professional Licensing Boards Division, Testing Center, Bldg B, 237 Coliseum Drive in Macon, Georgia for the purpose of conducting business.

Members Present:

- Allen Richardson, Chairman
- Roger Huggins, Vice Chairman
- Steve Cash
- Mark Herbert
- Melissa Henderson
- Timothy Ansley
- David Cyr
- Tommy Holder
- Hoppy Hopkins
- Morgan Wheeler

Others Present:

- Reagan Dean, Board Attorney
- Kyle Floyd, Executive Director
- Gina Thompson, Board Secretary
- Mollie Fleeman, Division Director
- Bettie Sleeth, HBAG
- Tyler Newman, HBAG
- Mark Woodall, AGC
- David Hendrick, Esq. Hendrick, Phillips, Salzmman and Flatt
- Mike Dunham, AGC

General Contractor Division

Chairman Huggins established that a quorum was present, and called the meeting to order at 9:06 A.M.

Chairman Huggins recommended a motion to accept the Examination Exemption Rules, Rules 553-2-.07 through 553-2-.13, as presented to the board. Tommy Holder made a motion, Hoppy Hopkins seconded, and the Division voted unanimously to accept these rules. Discussion was then conducted by the members for requiring the qualifying agent affidavit be signed by an authorized agent of the business organization with binding authority. Tommy Holder made a motion, Hoppy Hopkins seconded, and the Division voted unanimously to accept the change as amended.

Chairman Huggins suggested a motion to change the language in the individual and qualifying agent versions of the Examination Exemption rules (Rules 553-2-.07 through 553-2-.13) concerning the reference letter from “at least one owner” to “the owner or owner’s representative”. David Cyr made a motion, Tommy Holder seconded, and the Division voted unanimously to accept as amended.

David Cyr made a motion and Tommy Holder seconded to approve and to post the Examination Exemption rules, Rules 553-2-.07 through 553-2-.13, as amended. The Division then voted unanimously to accept and post the amended rules.

Kyle Floyd, Executive Director, discussed the Economic Impact Statement. Board Attorney Reagan Dean explained the process and reason for the statement and the procedure for approval each time a rule is voted upon. Tommy Holder made a motion, Timothy Ansley seconded, and the Division voted unanimously to approve the Economic Impact Statement for the Examination Exemption Rules and the fact that the rules do not impose excessive regulatory costs.

Chairman Huggins adjourned the meeting of the General Contractor Division at 10:00 A.M.

Residential and General Contractors

Chairman Richardson established that a quorum was present, and called the meeting to order at 10:15 A.M.

Mark Herbert made a motion to approve the minutes of the Board's August 10, 2005 meeting. The motion was seconded by Morgan Wheeler and the Board voted unanimously to approve the minutes.

Morgan Wheeler made a motion to approve the General Contractor Division minutes of the August 17, 2005 meeting. The motion was seconded by Hoppy Hopkins and the Division voted unanimously to approve the minutes.

Hoppy Hopkins made a motion to approve the Residential-light commercial subcategory conference call minutes of the August 17, 2005 meeting. The motion was seconded by Steve Cash and the Residential-light commercial subcategory members voted unanimously to approve the minutes.

Chairman Richardson suggested that Kyle Floyd, Executive Director, change the language concerning tiers to clearly distinguish between the requirements for a General Contractor license and a Residential-light commercial contractor license. Tommy Holder made a motion, Morgan Wheeler seconded, and the General Contractor Division voted unanimously to accept the change.

Discussion was held to change the restricted general contractor line of credit from no line of credit to \$25,000 on a single project. David Cyr made a motion, Tommy Holder seconded, and the General Contractor Division voted unanimously to accept.

Chairman Richardson suggested a motion to accept and post the General Contractor Qualifications for Licensure rules, Rule 553-4-.01 and Rule 553-4-.02. Tommy Holder made a motion, Timothy Ansley seconded, and the General Contractor Division voted unanimously to post these rules.

Chairman Richardson suggested a motion from the General Contractor Division on the Economic Impact Statement for the Rules 553-4-.01 and Rule 553-4-.02. David Cyr made a motion, Timothy Ansley seconded, and the General Contractor Division voted unanimously to accept and post that the rules do not impose excessive regulatory costs.

Chairman Richardson made a recommendation for the Residential Contractor Division to accept and post the Qualifications for Licensure rules, Rule 553-3-.01, Rule 553-3-.02, Rule 553-3-.03 and Rule 553-3-.04. Mark Herbert made a motion, Steve Cash seconded, and the Residential Contractor Division voted unanimously to post the rule. A motion was also made by Mark Herbert to accept the Economic Impact Statement for Rule 553-3-.01, Rule 553-3-.02, Rule 553-3-.03, and Rule 553-3-.04, Melissa Henderson seconded, and the Residential Contractor Division voted unanimously to accept and post the statement and the fact that the rule does not impose excessive regulatory costs.

A motion was made by Tommy Holder and seconded by Hoppy Hopkins to accept and post Rule 553-4-.03, Licensure Issuance for Qualifying Agents and Rule 553-4-.04, Licensure Requirements for a Joint Venture. The General Contractor Division voted unanimously to post the rules. Motion was also made by Hoppy Hopkins, seconded by David Cyr and the General Contractor Division voted unanimously to accept and post the Economic Impact Statement for these rules for the General Contractors Division.

A motion was made by Melissa Henderson and seconded by Mark Herbert to accept and post Rule 553-3-.05, Licensure Issuance for Qualifying Agents and Rule 553-3-.06, Licensure Requirements for a Joint Venture. The Residential Contractor Division voted unanimously to post the rules. Motion was also made by Mark Herbert, seconded by Melissa Henderson and the Residential Contractor Division voted unanimously to accept and post the Economic Impact Statement for these rules for the Residential Contractors Division.

Discussion was held concerning the September 21, 2005 meeting and that persons from the International Code Council (ICC) and the National Association of State Contractors Licensing Agencies (NASCLA) are scheduled to present examination information to the Board. It was determined that presentation time would be 50 minutes for each presenter of exam information. It was further agreed by the Board to allow representatives from the local jurisdictions who require licensure to provide five minute presentations to the Board on that meeting date.

Discussion was held concerning setting the date of July 1, 2006 for the deadline to have the examination for licensure ready. Other items discussed were as follows: application fee amounts; October 5, 2005 was set for the public hearing and board meeting date to adopt the rules; November 2005 was discussed as a date to have applications for examination exemption ready; the NASCLA Annual Convention in Salt Lake City, Utah is being held September 27-30, 2005 and funding for 2 board members is available.

Mark Woodall discussed his conversation with representatives from the Realtors Commission and it was determined that the intent of the Realtors was never to require the "handyman" to obtain licensure.

Chairman Richardson adjourned the full board at 12:10 P.M. but noted that the Residential Contractor Division would remain to discuss the "Warranty" clause.

Chairman Richardson suggested that the Residential Construction Performance Guidelines booklet was a guide for residential contractors and that the warranty should utilize the booklet's standards. Chairman Richardson asked Kyle Floyd to change language to include "builder will be responsible for a minimum of 12 months at the time of closing or possession" on the warranty clause.

There being no further business to come before the Board, the meeting was adjourned at 1:05 P.M. on August 24, 2005 by the Chairman.